

Buffalo Creek, Colliers & Cedar Creek: Agricultural Working Group Meeting 3
Palmer Community Center
August 7, 2014

Participants

Tommy Harris
Sandra Stuart
Barbara Dowell
Rachel Pence
Don Kain
Ellis Irvine

Jeff Waldon
Louis Eaton
Will Harris
Mack Hamilton
Steve Richards

Phillip Hurst
Carly Pleines
Nesha McRae
Will Harris
Sammy Vest

Nesha McRae, from the VA Department of Environmental Quality began the meeting by reviewing main points from the last meeting held on June 25, 2014 at the Palmer Community Center. During this meeting, several participants expressed concerns about herbicide spraying outside of VDOT right of ways. DEQ staff followed up with VDOT after the meeting and information on how to contact VDOT with concerns was distributed to the group. It was also noted that spraying outside of the right of way may be conducted by the local power company if the property is under a transmission line. DEQ also contacted VA Cooperative Extension to discuss the issue of rented land in Rockbridge County with respect to BMP implementation. It was suggested that Tom Stanley (VACE) attend the final public meeting and speak to farmers about this issue. Mr. Stanley has agreed to do this. The group also discussed concerns about future regulations for agriculture in order to protect water quality. One participant explained that he felt that the goals of DEQ are the same as those of the Environmental Protection Agency, and that both organizations continue to further limit the rights of the agricultural community. Concerns were expressed that regulations keep changing and that the implementation of this water quality improvement plan may be voluntary now, but that in the future, farmers may be required to do these things. DEQ staff explained that the current strategy to restore both our local streams and the Chesapeake Bay is incentive based and voluntary when it comes to agriculture. While we cannot predict what the future holds, this is the strategy that the Commonwealth is following today, and we must assume that the plan will be implemented on a voluntary basis.

Agricultural BMP Implementation Scenario

The group reviewed a final agricultural BMP implementation scenario for the watersheds. A handout with a summary of implementation actions along with detailed tables was distributed. The scenario that was shown on the handouts was what would be needed in order to reduce bacteria inputs in the watersheds to the point that the streams could be removed from the impaired waters list. It was explained that the reductions needed in the South Fork Buffalo and Cedar Creek are greater than those of the other streams. As a result, more extensive BMP

implementation will be needed in these watersheds. One participant asked about the likelihood of achieving the 99% livestock exclusion goal for these two creeks that was shown in the handouts, and what the repercussions will be if the goal is not met. DEQ staff explained that this is a goal that will be included in the plan because it is what it would take to remove the creeks from the impaired waters list; however, that does not mean that the project has failed if it is not met, or that landowners will be forced to exclude livestock as a result. It was also noted that the actual extent of fencing needed is not that great. The challenge will be getting all landowners in the watershed to participate. This has been accomplished in other watersheds in the region where 100% of livestock have been excluded from the stream voluntarily by landowners.

The group discussed the different types of fencing practices and fencing materials that could be used. Some landowners prefer to use woven wire or field fencing since this material typically does a better job of keeping livestock out as compared to 5-strand smooth wire fencing. However, a farmer installing fence at the top of the streambank might not want to use this material since it is more likely to get washed out during a storm and can be tougher to replace. The costs of woven wire and smooth wire fencing are comparable. One participant noted that a company called “Stay Tuff” makes a high tensile woven wire fence material that is very inexpensive and relatively easy to put up. You also end up using fewer fence posts with this material. It typically runs around \$220 for 660 ft of 24” box fencing or \$280 for 12” box. One participant asked about running power to wells for livestock. The group discussed how a landowner would want to take advantage of existing meters if possible, but that a utility bill would be part of the cost of installing off stream water. Another participant asked whether cost share is available for excluding livestock from ponds. Sammy Vest (Natural Bridge SWCD) responded that while the SWCD does not cost share on this type of fencing any longer, funding is available from the USDA Natural Resource Conservation Service.

The group discussed the importance of planting the correct plants in riparian buffers and pasture conversion practices. A list of ideal species for the region was developed by a participant during the TMDL development process and could be included as an appendix in the water quality improvement plan. Soils should also be considered. One landowner mentioned that he had planted black locusts on some bare ground on his property and that they had done really well in terms of establishing vegetative cover. Walnuts can also be a good species to plant in this area.

BMP Implementation Costs

The group reviewed a cost list for BMPs and associated components of a livestock exclusion system. DEQ staff noted that the total price tag of \$1.8M for agricultural BMP implementation is comparably low to estimated agricultural BMP implementation costs in other watersheds where these plans have been developed. Considering existing funding levels for BMP cost share programs at the state and federal level, it is expected that financial assistance should be available at a level sufficient to help landowners achieve implementation goals over several years. Based

on several recent experiences participants have had with installing fencing, the costs looked accurate to everyone. A participant expressed his concern about maintaining flood gates on stream crossings and asked who was responsible for repairs if these got washed out. Sammy Vest explained that the property owner was responsible, but that flood gates typically aren't used on crossings. Instead, a landowner could install a single strand of fence, which would be much easier to maintain. One participant mentioned that he had done a tree planting on pasture practice on his property, and that the agency he worked with had him plant loblolly and white pines in a 10x10 grid. This has not worked well from a management perspective since these trees are not of much value to local loggers and are challenging to thin. The cost of this practice could be bumped up a bit with the recommendation to plant hardwoods of greater value that will be easier to manage. The group discussed the cost of waste storage facilities for beef cattle shown in the handout. Several participants thought that \$75,000 might be a little high, though it was acknowledged that the cost of these structures can add up quickly. One landowner shared their experiences with pre cast concrete (8-10 foot walls) to construct a waste storage facility. This helped to reduce the cost considerably (about \$50,000 for a facility to accommodate 200 head of cattle).

The group discussed the importance of emphasizing the benefits of agricultural BMPs in order to encourage widespread adoption by landowners. One participant asked whether information on benefits should be targeted towards a particular group of landowners, explaining that the benefits might be very different depending on the size and nature of someone's operation. A large landowner whose primary occupation is farming is more likely to be interested in a very detailed breakdown of the financial benefits in terms of weight gain, veterinary bills etc. A smaller landowner who is more of a hobby farmer may be interested in some of the more general quality of life benefits. It was suggested that both types of benefits be noted in the water quality improvement plan. There is not a large amount of data out there right now on the economic benefits of agricultural BMPs, but this sort of information will be very important in getting broad participation in these cost share programs.

BMP Implementation Timeline

The group discussed a timeline for BMP implementation goals shown in the handout. It was explained that this timeline will not be used as an enforcement mechanism, but rather as a guide for implementation and a tool for budgeting. Grant funds have been available to fund TMDL implementation efforts to date, and applicants must use the plan timelines as a guide for establishing project goals. Additional concerns about changing regulations were discussed, particularly in terms of the growing cost of compliance with permits. Since we do not know how regulations are going to change over the next 1-2 decades, projecting a timeline for implementation is challenging. One participant stated that accomplishing these goals is very important since these streams are a shared resource that everyone should be able to enjoy without being concerned about getting sick from the water. It was noted that excluding livestock from

streams makes a lot of sense from a management perspective, and that many people floating and swimming in the streams do not realize that there is commonly manure in the water. One participant asked how long it takes for the *E.coli* bacteria to die off. DEQ staff explained that a large fraction of the bacteria in manure will die off before it reaches the water, but that *E.coli* is actually just the indicator organism that is used to determine the likelihood that the water is contaminated with harmful pathogens commonly associated with this type of bacteria.

The group discussed several different time frames for implementation along with what has been adopted in other watersheds like Hays Creek (also in Rockbridge County). It was noted that progress with agricultural BMP implementation has been good in the Hays Creek watershed, but that achieving established goals for residential septic BMPs has been more challenging. This is largely because people are not used to the SWCD offering cost share for these practices, so word has not yet gotten around about the program. DEQ staff noted that 10 years is commonly used as a timeline for removing streams from the impaired waters list. The group took a vote on several potential timelines (10 years, 12 years and 15 years). The majority of participants voted for 10 years. One participant suggested 25 years as well.

One participant asked how progress would be evaluated and what kind of monitoring would be done. DEQ staff explained that they are currently working out the monitoring plan for the watersheds, but that it is likely that monitoring would be delayed for a couple of years in order to allow for BMP implementation efforts to pick up and for BMPs to really start working. Citizen monitoring has been a really effective way to fill in the monitoring gaps and engage local landowners as well. One participant who lives right on one of the creeks said that they would be interested in doing some monitoring. DEQ staff offered to follow up with local landowners on the possibility of putting together a citizen monitoring program in the watersheds.

Next Steps

The group discussed plans for the final public meeting where the water quality improvement plan will be presented to the public. Nesha asked the group about the best time to have the meeting, and explained that current thoughts were to have it in late October in order to get the greatest number of farmers to attend. Participants thought that this would be a good time of year. One participant noted that it will be very important to share the benefits of implementing these practices, and that some attendees may not be very receptive to the idea of implementing BMPs.

Prior to the final public meeting, a steering committee meeting will be held with representatives from both the agricultural and residential working groups. This committee will review the draft plan and help with planning for the final public meeting. They will meet in early September. Tommy Harris volunteered to serve on the committee as a representative of the agricultural working group. Several other attendees said that they might be interested in attending if they are

available. Nesha will send an announcement out about this meeting along with a summary of the discussion from this meeting in the coming weeks. The meeting adjourned at 8:40.